Entered - 08/29/00 - sb 00- <sub>₹</sub>-1399

CL00L0518 - DIANNE C. MITCHELL

CLAIM OF: RICHARD M. DICTER 718 Waterford Place

Atlanta, Georgia 30342

at Wieuca Road north of Mountain Way and construction on June 10, 2000 and July 25, 2000 result of vehicular damage due to road Loridans Road. For damages alleged to have been sustained as a

# BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

Claims, Department of Law. 2J01/529017/T31001, Settlement of Suits and of Mountain Way and Loridans Road as is more alleged to have been sustained as a result of and satisfaction of all claims, past, present and taken from and charged particularly set forth in the within claim; said sum vehicular damage due to road construction on June BE IT RESOLVED by the Council of the City of 10, 2000 and July 25, 2000 at Wieuca Road north future, of every kind and character for damages M. DICTER the sum of \$882.32 in full settlement be approved in authorizing payment to RICHARD Atlanta that the action of the Department of Law

APPROVED

WITHOUT SIGNATURE BY OPERATION OF LAW

APPROVED: SUSAN PEASE LANGFORD CITY ATTORNE

BY: DEPUTY CITY ATTORNEY LOOPTING

SEP 182000

COUNCIL



#### MUNICIPAL CLERK ATLANTA, GEORGIA

00-R-1399

A RESOLUTION

BY PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to Richard M. Dicter in the sum of \$882.32 in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of vehicular damage due to road construction on June 10, 2000 and July 25, 2000 at Wieuca Road north of Mountain Way and Loridans Road as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true dopy,

Deputy Municipal Clerk

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

September 18, 2000

September 27, 2000

### **DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 00L0518	D	ate: S	eptember 1, 2000	
Claimant /Victim RICHARD M. DICT				
BY: (Atty)				
BY: (Atty)	Atlanta, Georgia 30342	, D 111	<b>T</b>	
Subrogation: Claim for Property damage	ge \$ <u>882.32</u>	- Bodily	Injury \$	
Date of Notice: 08/29/00 Metho	i: Written, proper	<u>X</u>	Improper	
Conforms to Notice: O.C.G.A. §36-33-5  Date of Occurrence 06/10/00 & 07/25/00 Plan	X Ante	Litem (6	Mo.) X	
Date of Occurrence <u>06/10/00 &amp; 07/25/00</u> Pla	e: Wieuca Road north	of Mount	ain Way and Lorida	ns Road
Department Public Works	Division: So	ewer Ope	rations	
Employee involved	Disciplinary Ac	tion:		
NATURE OF CLAIM: The claimant damage performed by the Sewer Operations Division. The	investigation determine	d that the	Sewer Operations D	<u>ivision had</u>
left a roadway cut in an unsafe and unsecured con	dition and they had also	failed to ra	aise the manholes ev	en with the
asphalt after the road was resurfaced.		····		
INVESTIGATION:				
Statements: City employee X Claimant Pictures Diagrams Reports: Traffic citations issued: City Driver Citation disposition: City Driver	Police Dept I	Report er	Other	
BASIS OF RECOMMENDATION:				
Function: Governmental	Ministerial		X	
Function: Governmental More than Six Mon	ths Other	Da	mages reasonable	X
City not involved Offe	rejected C	Compromi	ise settlement	,
Renair/replacement by Ins. Co.	Renair/renlace	ment by C	City Forces	
Claimant Negligent City Negligen	t X Joint	Čla	im Abandoned	
	Respectfully			
	Dan	u	end C	2
	INVESTIGA	ATOR - D	IANNE Č. MITCHI	ELL
RECOMMENDATION:				
Pay \$	Account charged:		2J01 X	2H01
Claims Manager:	Concur/d		1-01-00	
Committee Action:	Council Action	1		

FORM 23-61

	HUG-25-2000 .	14.19	KICHH	אט ווו. טול ום	(f) 114 D.	_	110 000 3	JJJ 1.65	$m \supset$
3E 31 <i>r</i>	YUU HAVE AN L OR SHARON GLAD TO SHO NTS AND STR UNCIL OF THE C	W YOU TH	F FFFFC	T OF THE	SE NEGLE	CTFD HOLF	S ON TIRE	MO, HAVE ILL S, WHEEL	S., 08/29
MU	NICIPAL CLERK		, ALVIA		<b>2.</b>		8/21/2T		<b>y</b>
	y Hall	147							
Atla	Trinity Avenue, S. anta, Georgia 303 ar Municipal Cler HIND PHIPPS	ARE  k: NEVER	DAMAGIN LEAVE YOU PAT	IG WHEELJ LARGE PO CHED THA	OINTS, W THOLES F T MONSTE	CATION OF HEELS, AN OR MONTHS IR IN 72 H	D TIRES E YOU SUR OURSIT	XPUNENTI E DIDN'T SHOULD B	ALLY. DO IT 1 E DONEAU
Thi	s is to notify the	City of Atlan	ita that I h	ave suffered	damages in	the amount si	um of \$ <u>_&amp;&amp;</u> Z	<u> </u>	roperty
and	s is to notify the (  I/or \$  Date of incident:	b₀ 6/10/2T	dily injury :	for which I cor '2T 2. Time	ntend the Cit of Incident:	y is ijable. 1) 9:30PM 2) 10PM	ENTERED - 00L0518 - 3. Police call	8-29-00 - DIANNE MI	- SB LTCHELL XXX
		(month/	day/year)					165	No
	Location of incident								
	Name of your insura								
<b>6</b> .	State what and how AND PLATE WUNAVOIDABLE WHEELEBASE.	HICH HAV	RIGHT I	INED SINC LANDED LA BY THE	NE BOUNI CITY IN	NORTHEAS MAY, AND	STTHEY F	IT THE	CAR
	REHIND PHIE	PS. HAVE	E BEEN I	LEFT FOR	MONTHS	DESPITE NU	JMEKUUS CA	LLS.	
•T0	TAL CLAIM I	S \$883.3	2( \$569	,24 TIRE	s, \$13.0	10 CV BOOT	, \$300. R	T. CONTR	OL ARM)
	ALL ESTIMATES RESULT IN YOU  The registered of reparents	R CLAIM B	EING DEN	ILED AND M	AY RESULT ehicle d <b>am</b> a	IN CRIMINA	the following	IONI	th_two (2)
	Your vehicle:S	(Make)	ΙΟΚΒΟ	(Year)	(Tao Nu	mber)	(Driv	er's Name)	
						REFUSES T			
	City vehicle:	SEE DIA	GRAIT FU	(City Drive	er's Name)	INLI USES IN	(Departme	nt/Bureau)	
9.	Witness: SEE	ENCLOSE	D BILL OF TH	FOR TIRE	S FROM P UT TIRES	ERFECT PE . 770-993	RFORMÁNČE -5777.	OWNER	DI SPOSEI
•		(Name)			(Addres	5)	(Telephon	e Number)	
10	. The acknowledg State law, nor is	ement of thi it an admis	s claim in s sion of liab	no way waive pility on beha	es the Sovero	elgn immunity of Atlanta an	of the City of id/or its empl	Atlanta, as ; oyee(s).	granted by
11	. This claim shoul					// 0	-660-3353	T C T E D	
	I HEREBY SWE.	AR OR AFFI	IRM THAT IND CORR	THE ABOVI	718	WATERFORD	HARD M. D	s Name)	
	( Vii)	ord M. A	TITES M	9	A <u>TL</u> /	NTA, GEOR	IGIA 30342	<u>-2383</u>	
	Signature of Cla	ijnant (					(Address	;)	
							(City , State ar	d Zip Code	
						(Work Nun	nber)	(Home	Number)

## GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0518	\$_	882.32	
IN CONSIDERATION of the sum of EIDOLLARS, to be paid by the CITY OF I do hereby, for myself, my heirs, executors, adrits officers and employees, from any and all cla expenses, of whatsoever kind or nature for or on for or on account of vehicular damage due to	ATLANTA, the futuministrators, and assignms, demands, action account of anything t	are receipt of which is gns, release and fore as, causes of action, so that has heretofore oc	s hereby acknowledged, wer discharge said City, suits, damages, loss and curred, and particularly
which occurred on or about the 10th day of	June , 2000	and the25 <sup>th</sup> da	y of <u>July</u> , <u>2000</u> ,
at or near <u>Wieuca Road north of Mountain W</u>	Vay and Loridans Roa	ad	
It is further understood and agreed that the admission on the part of the City, its officers, a undersigned further covenants and agrees to indiservants and employees, from any and all claim agents, servants and employees, may be called understood and I now state that the only consideration of the sum stated above; that no other promise of said City or its agents to cause me to sign this instrument.	gents, servants or ememority and hold harmons, damages or costs apon to make as a rest on for my signing this ragreement of any king.	aployees, of any liabic inless the City of Atlandary which the said City bult of the event hereing is release and indemnation or nature has been	lity whatsoever and the anta, its officers, agents, of Atlanta, its officers, nbefore referred to.  iffication is the payment a made to or with me by
WITNESS my hand and seal this	<u>3/</u> day of	Augus I	, 2000.
	day of 	M. Sicter	(LS)
The above release was read and explain	ed to, and signed by	the said	
	in o	ur presence on the da	te above written.
	Eugen	in I X bad	A Martin of the Company of the Compa
		WITNESSES	

#### Atlanta City Council

Regular Session

PAGES: 1-19 CONSENT

ADOPT

YEAS: 13 SEE ATTACHED LISTING OF NAYS: ITEMS ADOPTED/ADVERSED

00-O-1435

ABSTENTIONS:

NOT VOTING: ON CONSENT AGENDA

EXCUSED: ABSENT

ITEM (S) REMOVED FROM Y Thomas Y Moore Y McCarty Y Dorsey **CONSENT AGENDA** Y Emmons NV Woolard B Martin Y Starnes 00-R-1321 Y Alexander Y Maddox Y Bond Y Morris 00-R-1322 NV Pitts Y Boazman Y Winslow Y Muller 00-R-1388

# CORRECTED COPY

		09/18/00 Council Meeting
ITEMS ADOPTED		ITEMS ADVERSED
ON CONSENT		
1		ON CONSENT
AGENDA		AGENDA :
1 00 0 1004	41 00 D 1050	E1 00 D 1957
1. 00-O-1234	41. 00-R-1352	51. 00-R-1357
2. 00-O-1007	42. 00-R-1353	52. 00-R-1358
3. 00-O-1015	43. 00-R-1397	53. 00-R-1359
4. 00-O-1427	44. 00-R-1398	54. 00-R-1360
5. 00-O-1429	45. 00-R-1399	55. 00-R-1362
6. 00-O-1432	46. 00-R-1400	56. 00-R-1363
7. 00-R-1387	47. 00-R-1401	57. 00-R-1364
8. 00-R-1392	48. 00-R-1402	58. 00-R-1365
9. 00-R-1395	49. 00-R-1403	59. 00-R-1366
10. 00-R-1452	50. 00-R-1404	60. 00-R-1367
11. 00-R-1340		61. 00-R-1368
12. 00-R-1323		62. 00-R-1369
13. 00-R-1433		63. 00-R-1370
14. 00-R-0560		64. 00-R-1371
15. 00-R-0561		65. 00-R-1372
16. 00-R-1454		66. 00-R-1373
17. 00-R-1299		67. 00-R-1374
18. 00-R-1308		68. 00-R-1375
19. 00-R-1334		69. 00-R-1376
20. 00-R-1335		70. 00-R-1377
21. 00-R-1338		71. 00-R-1378
22. 00-R-1394		72. 00-R-1379
23. 00-R-1331		73. 00-R-1380
24. 00-R-1330		74, 00-R-1381
25. 00-R-1332		75. 00-R-1382
26. 00-R-1333	بخر.	76. 00-R-1383
27. 00-R-1337		77. 00-R-1384
28. 00-R-1339		78. 00-R-1385
29. 00-R-1419		79. 00-R-1386
30. 00-R-1426		80. 00-R-1405
31. 00-R-1342		81. 00-R-1406
32. 00-R-1343		82. 00-R-1407
33. 00-R-1344		83. 00-R-1408
34. 00-R-1345		84. 00-R-1409
35. 00-R-1346		85. 00-R-1410
36. 00-R-1347		86. 00-R-1411
37. 00-R-1348		87. 00-R-1412
38. 00-R-1349		88. 00-R-1413
39. 00-R-1350		
40. 00-R-1351		